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**FILED**

**JAN 21 2010**

**BRIAN R. MARTINOTTI**  
**J.S.C.**

**IN RE DIGITEK® LITIGATION**

*This Document Applies to:*

Dana Scannapieco, et al. BER-L-7213-09 MT

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: BERGEN COUNTY**

**Case No. 283**

**Civil Action**

**ORDER OF DISMISSAL**

**THIS MATTER** having been opened to the Court by application of Harris Beach PLLC, attorneys for Defendants, for an Order dismissing with prejudice the claims of plaintiff, Dana Scannapieco for failure to respond to Court-ordered discovery, on notice to plaintiff's counsel, and the Court having read and considered the Certification of counsel submitted in support of the application, and there being no opposition thereto, and for good cause shown;

**IT IS** on this 21 day of January, 2010,

**ORDERED** that Defendants' application is **GRANTED**, and that the action and the claims asserted therein by Dana Scannapieco be and hereby are dismissed with prejudice for failure to respond to Court-ordered discovery; and it is further

**ORDERED** that a copy of the within Order shall be served upon counsel for all parties within seven (7) days of receipt of the executed Order by Defendants' counsel.

  
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**HON. BRIAN R. MARTINOTTI, J.S.C.**